



Practitioner's Docket No. MPI00-513P1RM (previously 10147-57U1)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kapeller-Libermann, Rosana
Application No.: 10/017,216 Group No.: 1652
Filed: October 23, 2001 Examiner: Maryam Montshipouri
For: 13245, A NOVEL HUMAN MYOTONIC DYSTROPHY TYPE PROTEIN
KINASE AND USES THEREFOR

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

Responsive to the Restriction Requirement dated May 19, 2004, the claims of Group I (claims 1-7, 12 and 18), drawn to isolated DNA molecules encoding an ATM related kinase (ATX), vectors, kits and host cells comprising said molecules, are elected for prosecution without traverse.

Applicants hereby reserve the right to traverse the above restriction with respect to non-elected Groups II-VII in this or subsequent applications.

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

I hereby certify that, on the date shown below, this correspondence is being:

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Signature

Diana Gentile

Date: June 9, 2004

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This paper is being filed timely as no extensions of time are required. In the event any extensions of time are necessary, the undersigned hereby authorizes the requisite fees to be charged to Deposit Account No. 501668.

Entry of the remarks made herein is respectfully requested.

June 9, 2004

Respectfully submitted,

MILLENNIUM PHARMACEUTICALS, INC.

By

Mario Cloutier
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Limited Recognition Under 37 C.F.R. §10.9(b)

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